

C O P Y

DEPARTMENT OF JUSTICE
Washington, D. C.

RJL - WBM

33-3-76-0

July 30, 1951

John A. Murphy, Esquire
Special Attorney
Department of Justice
Title and Trust Building
Phoenix, Arizona

Dear Mr. Murphy:

This is in reply to your letter of July 16, 1951, enclosing a copy of a letter to you from Mr. S. C. Farrington, Chief, Phoenix Real Estate Division of the Corps of Engineers, dated June 26, 1951, relating to the acquisition of outstanding interests in 601.1 acres of land, Fort Huachuca, Cochise County, Arizona.

In order to determine what rights are outstanding and subject to condemnation, it will be necessary to have photostats or complete copies of the deed from the United States to the State of Arizona, the letter effecting the recapture of the property on January 18, 1951, and the lease from the State of Arizona to Wayne T. Olson. It may be that the use of the property during the national emergency is noncommensable. See United States v. San Geronimo Development Co., Inc., 154 F. 2d 78 (C.A. 1, 1946), cert. den., 329 U.S. 718 (1946).

Sincerely,

/s/ A. Devitt Vanech

A. DEVITT VANECH
Assistant Attorney General